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Application No.: 08/319,411
Office Action Dated: January 22, 2004

PATENT

REMARKS/ARGUMENTS

Applicants wish to thank Examiner Marschel for taking the time to meet with the undersigned and Herb Boswell on July 1, 2004, to discuss the outstanding Office Action and the above-noted claim amendments.

The claims stand rejected under 35 U.S.C. §§112 and 103. Although Applicants do not necessarily concur, they have canceled most of the claims in the interest of advancing prosecution. This amendment is made without prejudice to presentation of the canceled claims in a continuing patent application. None of the rejections under §§112 and 103, however, is believed to be applicable to claim 53.

The outstanding rejections based on alleged obviousness-type double patenting are also not believed to be applicable to claim 53. During the interview, a further, potential rejection for alleged obviousness-type double patenting in view of U.S. 6,395,474 was discussed. To advance prosecution, Applicants are prepared to submit a terminal disclaimer with respect to this patent in due course. It is believed that this submission will render any rejection of claim 53 moot.

The objection to the specification is believed to be moot in view of the amendment to page 13 presented above.

In a concurrently filed information disclosure statement, Applicants are also formally making of record the Heimer reference that is discussed in Example 2 of the specification.

GEN. INT. SUM
OK, AM, 9-30-04